



General Assembly

Amendment

February Session, 2006

LCO No. 5718

SB0018805718SD0

Offered by:

SEN. DEFRONZO, 6th Dist.

REP. SPALLONE, 36th Dist.

To: Subst. Senate Bill No. 188

File No. 415

Cal. No. 282

**"AN ACT CONCERNING ENVIRONMENTAL REVIEW FOR
CERTAIN STATE LAND TRANSFERS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) (a) Prior to the sale or
4 transfer of state land or any interest in state land by a state agency,
5 department or institution, the agency, department or institution shall
6 provide notice of the sale or transfer to the Council on Environmental
7 Quality and the Commissioner of Environmental Protection on a form
8 approved by the Council on Environmental Quality. Such notice shall
9 be published in the Environmental Monitor and shall provide for a
10 written public comment period of thirty days following publication of
11 such notice, during which the public and state agencies may submit
12 comments regarding significant natural and recreational resources on
13 the land and appropriate means to preserve such natural or
14 recreational resources. The agency, department or institution, in
15 consultation with the Commissioner of Environmental Protection, shall

16 (1) respond to any written comments received during the thirty-day
17 comment period, and (2) publish such written comments along with its
18 response to such written comments in the Environmental Monitor for a
19 period of not less than fifteen days prior to the sale or transfer of the
20 land.

21 (b) The Commissioner of Environmental Protection shall develop a
22 policy for reviewing notices received from a state agency, department
23 or institution pursuant to subsection (a) of this section, and making
24 recommendations as to whether all or a portion of the land or land
25 interest referenced in such notice should be preserved by (1)
26 transferring the land or granting a conservation easement therein to
27 the Department of Environmental Protection, (2) imposing restrictions
28 or conditions upon the transfer of the land or land interest, or (3)
29 transferring all or a portion of the land or land interest, or granting a
30 conservation easement interest therein, to a third party. Any such
31 recommendations shall be accompanied by a report explaining the
32 basis of the recommendations and shall include, where appropriate, a
33 natural resource inventory. Such recommendations and report shall be
34 published in the Environmental Monitor and shall provide for a
35 written public comment period of thirty days following publication of
36 such notice. The agency, department or institution, in consultation
37 with the Commissioner of Environmental Protection, shall (A) respond
38 to any written comments received during the thirty-day comment
39 period, and (B) publish such written comments along with its response
40 to such written comments in the Environmental Monitor for a period
41 of not less than fifteen days prior to the sale or transfer of the land.

42 (c) Nothing in this section shall be construed to:

43 (1) Limit the applicability of sections 22a-1a to 22a-1i, inclusive, of
44 the general statutes, with respect to the sale or transfer of state land or
45 any interest in state land, except that if an environmental impact
46 evaluation has previously been prepared pursuant to sections 22a-1b
47 and 22a-1c of the general statutes or an environmental statement has
48 previously been prepared for such state land or interest in state land

49 pursuant to any other state or federal law or regulation, as specified in
50 section 22a-1f of the general statutes, the state agency, department or
51 institution shall be exempt from the notice and public comment
52 requirements set forth in subsections (a) and (b) of this section;

53 (2) Affect any purchase and sale agreement entered into between
54 the state and any prospective purchaser that is in effect prior to the
55 effective date of this section or any subsequent sale or transfer made
56 pursuant to any such purchase and sale agreement;

57 (3) Require an environmental review or to otherwise limit or restrict
58 the transfer, sale or option to transfer or sell certain property known as
59 the former Norwich State Hospital Property located in the town of
60 Preston and the city of Norwich; or

61 (4) Require the conveyance of any parcel of state land or any interest
62 in state land pursuant to an act of the General Assembly.

63 Sec. 2. (NEW) (*Effective October 1, 2006*) There is established, within
64 the General Fund, a separate, nonlapsing account to be known as the
65 "environmental review account." The account may contain any moneys
66 required or allowed by law to be deposited in the account, including,
67 but not limited to, moneys from the sale of state properties not
68 otherwise specially designated, up to a maximum of one hundred
69 thousand dollars. Any balance remaining in the account at the end of
70 any fiscal year shall be carried forward in the account for the fiscal
71 year next succeeding. Payments from the account shall be made upon
72 authorization from the Commissioner of Environmental Protection.
73 All moneys in the account shall be used for the exclusive purposes of
74 (1) preparing or implementing recommendations and reports by the
75 Department of Environmental Protection or a state agency, department
76 or institution pursuant to subsections (a) and (b) of section 1 of this act,
77 or (2) preparing or reviewing environmental impact evaluations, in
78 accordance with the provisions of sections 22a-1b and 22a-1d of the
79 general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section